



NEW YORK STATE SENATOR

Michael Gianaris

Senate To Pass Deputy Leader Gianaris' NY HERO Act

MICHAEL GIANARIS March 1, 2021

| ISSUE: NY HERO ACT, COVID-19, WORKPLACE SAFETY, CORONAVIRUS, ESSENTIAL WORKERS



NEW YORK – Senate Deputy Leader Michael Gianaris announced the New York HERO Act ([S.1034-A/A.2681-A](#)), a critical bill requiring businesses to have enforceable safety standards to prevent further spread of coronavirus, is scheduled to pass the New York State Senate later today. The New York HERO Act is sponsored in the Assembly by Assembly Member Karines Reyes, RN. Senator Gianaris hailed the vote during a press conference today with the Essential Workers Coalition, made up of over 80 groups including the AFL-CIO across New York supporting this bill. [Watch the full press conference video here.](#)

Senate Deputy Leader Michael Gianaris said, “Too many workers have already sacrificed their health for our community’s benefit. The New York HERO Act will honor their efforts by giving workers the tools to protect themselves while on the job. I appreciate the support for this proposal from my colleagues in both houses and so many organizations throughout New York.”

Assembly Member Karines Reyes, R.N. said “I am proud to see my colleague in the Senate take a stand for New York’s frontline workers who put their own health at risk because of unsafe workplace conditions. This is the first step in ensuring corporations that have tremendously expanded their profits provide adequate protection to frontline workers. Thousands of workers have contracted COVID-19 while corporations have made billions. An increase in profits in exchange for human life is unacceptable, and the NY HERO Act would put a stop to this egregious behavior.”

Senate Labor Committee Chair Senator Jessica Ramos said, “Throughout the COVID-19 pandemic, workers across our state have had to put their lives and the lives of their families at risk to keep New York running. Passing the New York HERO Act is an important first step to protect the lives of working families, requiring businesses to have enforceable safety standards.”

The NY HERO Act, or the New York Health and Essential Rights Act, would require the Departments of Labor and Health to implement enforceable minimum standards for workplace safety. The regulations must include protocols on testing, PPE, social distancing, hand hygiene, disinfection, and engineering controls. Workers would also be given a direct role in monitoring and reporting violations through workplace health and safety committees and employees would be protected from retaliation for utilizing their rights under the law.

The NY HERO Act is supported by more than 100 labor, community, and safety organizations, including the AFL-CIO. The legislation passed the Senate Labor committee in January. Just last week, Senator Gianaris and Assembly Member Reyes wrote an op-ed in *The Buffalo News* highlighting the importance of the NY HERO Act.

Senate co-sponsors include Senate Labor Committee Chair Jessica Ramos and Senators Brian Benjamin, Alessandra Biaggi, Jabari Brisport, Samra Brouk, John Brooks, Jeremy Cooney, James Gaughran, Andrew Gounardes, Michelle Hinchey, Brad Hoylman, Robert Jackson, Tim Kennedy, Liz Krueger, John Mannion, Rachel May, Shelley Mayer, Elijah Reichlin-Melnick, Gustavo Rivera, Sean Ryan, Julia Salazar, James Sanders, Diane Savino, James Skoufis, and Kevin Thomas.

Assembly co-sponsors include Assembly Members Chris Burdick, Carmen De La Rosa, Richard Gottfried, Donna Lupardo, Michael Montesano, Nily Rozic, Rebecca Seawright, Linda Rosenthal, Charles Barron, Steven Englebright, Jonathan Jacobson, Al Taylor, Stefani Zinerman, N. Nick Perry, Demond Meeks, Sarah Clark, Jen Lunsford, Jessica Gonzalez-Rojas,

Jeffrey Dinowitz, Zohran Mamdani, Jo Anne Simon, Andrew Hevesi, Inez Dickens, Chantel Jackson, Emily Gallagher, Nathalia Fernandez, William Colton, Jenifer Rajkumar, Harvey Epstein, Gina Sillitti, Daniel Rosenthal, Robert Carroll, Marcela Mitaynes, Joe DeStefano, Stacey Pheffer Amato, Dan Quart, Harry Bronson, Catherine Nolan, Phara Souffrant Forrest, Charles Lavine, Robert Rodriguez, Michael Benedetto, Peter Abbate, Fred Thiele, Khaleel Anderson, Daniel O'Donnell, Brian Barnwell, Kenny Burgos, and Catalina Cruz.

Maritza Silva-Farrell, Executive Director of ALIGN, an advocacy organization that created the NY Essential Workers Coalition to fight for passage of the NY HERO Act said, "The NY HERO Act will save lives, protect essential workers, and enable businesses across the state to keep running amid the COVID-19 pandemic. We applaud the State Senate for passing this urgent legislation today. Now the Assembly and Governor must do the same, and make the NY HERO Act a reality immediately. COVID vaccines are not a substitute for the enforceable and permanent workplace health and safety protections that the NY HERO Act will provide. As new, more dangerous variants of COVID continue to spread throughout New York, the NY HERO Act will help ensure that workers and businesses are fully protected,"

Stuart Appelbaum, President of the Retail, Wholesale and Department Store Union (RWDSU) said, "As the pandemic has highlighted yet again, workplace safety must be prioritized. We need the enforceable standards at the state level provided in this bill to keep all working New Yorkers safe. No worker should be forced to sacrifice their health and safety in order to earn a living. I want to thank Senator Gianaris for spearheading this critical legislation and the Senate for passing it today, Assembly Member Reyes for being a champion in the Assembly, and all our allies in Albany for putting workers health and safety first. Now let's

get it signed into law.”

Dennis Trainor, Vice President of CWA District 1 said, "New York's essential workers have been the backbone of our State throughout this pandemic. Yet too many working people have lost their lives due to a lack of enforceable health and safety standards in the workplace. As the virus continues to infect and kill hundreds every single day, NY Hero is urgently needed both in order to protect workers against airborne infectious diseases and to establish workplace committees that ensure workers have a voice in the safety of their workplaces. I commend the Senate for passing this lifesaving legislation today and am deeply grateful to Senate Majority Leader Stewart-Cousins and Deputy Majority Leader Gianaris for their leadership. I urge the Assembly to quickly follow suit.”

Gloria Tenecela, member leader at the NY Nail Salon Workers Association said, “Even during a pandemic, salon owners are still not taking responsibility to provide us with more protection. I go to work so I can provide for my daughters, but I know that it is risky. I am worried because workers and customers could bring the disease home and infect their families. Nothing will change if we remain silent. We need laws that protect us at work and protect our right to speak out and demand the proper PPE so we can take care of our health. We thank the NY Senate for passing the NY HERO bill and look forward to swift passage in the Assembly as well.”

Charlene Obernauer, Executive Director of the New York Committee for Occupational Safety and Health (NYCOSH) said, “NY HERO is essential to ensuring that COVID-19 guidelines, which are currently optional, can be enforced by New York State. This will keep workers safer,

communities safer, and is essential to our recovery. We are beyond grateful to Senator Gianaris for his leadership on COVID-19 and for advocating hand in hand with us to support workers.”

Louis Mark Carotenuto, President of UFCW Local 2013 said, “We are almost a year into a Global Pandemic with over 40,000 New Yorkers’ lives lost and we still have no enforceable workplace safety standards... This is completely unacceptable at a time when we are battling mutated strains of the virus that are said to be even more contagious with very little known about their resistance to the current vaccines. We thank the Senate for their leadership in passing the NY HERO act. Now It’s time for the Assembly to come together and act on this legislation and GET IT PASSED in order to protect the workers on the frontlines.”

Rosanna Rodriguez of the Laundry Workers Center said, “After almost a year in a pandemic that has caused more than 47k death workers still don't have any protections. Our heroes fought in the first and second' s Covid- 19 wave and continued putting their lives at risk. We can't wait until people get vaccinated. We need real standards like NY HEROES ACT. It's crucial that we provide the basic protections to workers. As we continue the struggle; we appreciate the leadership of Senate Deputy Majority Leader Michael Gianaris and Assemblymember Karines Reyes.”

Jessica Maxwell, director of the Workers Center of Central New York, said “As workers stepped up to lead our communities through this pandemic, It’s unconscionable that they have had to wait almost a year to receive robust, enforceable health and safety standards.

Farmworkers are still not eligible for the vaccine in NYS and we continue to hear every week from farmworkers whose rights are being violated and who are being pressured to work in unsafe situations. We're thrilled the Senate has passed this crucial legislation to give workers the tools they need to protect themselves, and now we look to the Assembly to stand up for workers."

Fabiola Ortiz Valdez, lead organizer with the Food Chain Workers Alliance said, "We are glad that the NY Senate is taking proactive steps to create long overdue protections for workers in New York. It's been a year since the pandemic hit our state, and for many workers in different industries the work never stopped. On the contrary, workers in the food chain have continued to work to ensure that we have food on our table during this crisis. NY owes it to them, and to the thousands of workers now returning to their jobs, to have protocols in place to protect them from Covid and other infectious diseases. We look to the Assembly and Governor Cuomo to do the same and pass The NY HERO Act as soon as possible."

Brian Brown-Cashdollar, Interim Director of the Western New York Council on Occupational Safety and Health said, "The NYS Hero's Act will be a historic advance in workers' rights and worker protections. We are proud of the strong bi-partisan support from WNY Senators in advancing this bill."

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Ivette Alfonso, President of Citizen Action of New York said, “When non-essential businesses closed, it was predominantly Black, brown, low-income and immigrant communities that kept New York running. We have seen Covid-19 outbreaks at businesses run by mega corporations like Amazon while their CEOs made off with record profits at the expense of their employees. The NY HERO Act is long overdue—it would establish the basic workplace protections that should already be in place, like mandatory Covid-19 testing and employer provided PPE, regularly sanitized work stations, allotted time for handwashing, and adherence to social distancing guidelines. Workers deserve a standard of protection and the ability to hold reckless employers accountable. This is the best solution to protect communities who are most vulnerable and have been hit the hardest. We applaud the Senate for their leadership, and urge the Assembly to bring this bill up for a vote immediately.”

Paul Sonn, State Policy Program Director at the National Employment Law Project said “New York’s Black and brown frontline workers have sustained our state through the pandemic yet still don’t have the type of enforceable basic health and safety protections they need to keep themselves, their families and our communities safe. We thank Senator Gianaris and Assembly Member Karines Reyes for their leadership in moving this vital legislation.”

Theodore A. Moore, Senior Director of Policy at the New York Immigration Coalition said,

“COVID-19 has had an immense impact on workers, communities, and small businesses all across New York. We know that every day counts in keeping people safe and healthy. That is why the NY HERO Act is so important to not only the recovery of our state from the current pandemic but protection from future airborne infectious diseases. The Senate has taken a strong step to ensure worker safety and we call on the Assembly and Governor Cuomo to finish the job.”

Judy Gonzalez, President of the New York State Nurses Association said, “As the state’s infection and hospitalization rates continue to stay dangerously high, and the variant virus strains threaten to spread rapidly, swift action must be taken—NOW—to protect so-called essential workers, the vast majority of whom are Black and Brown, and who’ve historically suffered from the worst health indices and lack of access to quality health care. Workers who continue to put ourselves on the front lines still lack any enforceable standard that provides for protection from airborne infections: PPE, ventilation, engineering controls and a voice. The absence of such a standard resulted in disproportionate rates of infection, complications, and death. We’re grateful for Senators Gianaris and Ramos, and the Labor Committee, for putting forward the NY Hero Act. Essential workers are not expendable. We urge the Senate to show that this is true, by passing this critical legislation, today, before another worker falls victim to preventable unsafe conditions”

RELATED LEGISLATION

2021-S1034A

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Prevents occupational exposure to an airborne infectious disease

January 06, 2021

Senate Floor Calendar

Sponsored by **Michael Gianaris**

Do you support this bill?